



THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
100 CHURCH STREET  
NEW YORK, NY 10007

HON. SYLVIA O. HINDS-RADIX  
*Corporation Counsel*

PHILIP S. FRANK  
Phone: (212) 356-0886  
Fax: (212) 356-1148  
E-mail: [pfrank@law.nyc.gov](mailto:pfrank@law.nyc.gov)  
(not for service)

August 19, 2022

**VIA ECF**

Honorable Paul A. Engelmayer  
United States District Court  
Southern District of New York  
500 Pearl Street  
New York, NY 10007

Re: *M.K obo E.K. v. New York City of Department of Education, et al.*,  
20-CV-4321 (PAE)

Your Honor:

I am an Assistant Corporation Counsel in the Office of the Corporation Counsel of the City of New York, attorney for Defendants New York City Department of Education (“DOE”), New York City Board of Education, and DOE Chancellor David C. Banks in the above-referenced action. Plaintiff, *inter alia*, seeks implementation of an underlying administrative decision pursuant to the Individuals with Disabilities Education Improvement Act (“IDEA”), 20 U.S.C. §1400, *et seq.*

I write jointly with Plaintiff’s counsel, Elisa Hyman, Esq., to respectfully request a four-week extension of time, from August 22, 2022 until September 19, 2022 for the parties to file their stipulation of settlement. This is the parties’ second request for such an extension, and the Court granted the parties’ first request.

The reason for the requested enlargement is that the parties have agreed in writing to all of the terms of the stipulation of settlement, with the exception of one remaining term, and I will be out of the office on annual leave from August 22, 2022 until September 6, 2022. The extension of time, therefore, will enable the parties to finalize the settlement upon my return to the office. The length of the extension accounts for the two weeks that I will be out of the office as well as the professional obligations I have in multiple other matters, including settlement conferences and motion practice, the week that I return to the office.

In the alternative, if the Court is not inclined to grant the extension, Plaintiffs are applying to reopen the matter as per Your Honor’s order (ECF No. 73).

The parties thank the Court for its consideration of the within.

Respectfully submitted,

s/

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Philip S. Frank  
Assistant Corporation Counsel

cc: All counsel (via ECF)

The Court grants the parties' request for a four-week extension. No further extensions should be expected, absent extraordinary circumstances.

SO ORDERED.



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PAUL A. ENGELMAYER  
United States District Judge

August 22, 2022